



# State Water Resources Control Board

SURNAME



**Winston H. Hickox**  
Secretary for  
Environmental  
Protection

**Division of Water Rights**  
1001 I Street, 14<sup>th</sup> Floor • Sacramento, California 95814 • (916) 341-5383  
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000  
FAX (916) 341-5400 • Web Site Address: <http://www.swrcb.ca.gov>  
Division of Water Rights: <http://www.waterrights.ca.gov>

266-0  
Walsh, Earl  
and  
Nandine  
*SWRCB*

**Gray Davis**  
Governor

In Reply Refer  
to: 331:MSM:266.0

JUN 12 2001

Earl & Nandine Walsh  
P.O. Box 787  
West Point, CA 95255-0787

Dear Mr. & Mrs. Walsh:

Thank you for your letter dated June 4, 2001 in which you requested that the Division of Water Rights (Division) estimate a value for your water rights for the purpose of listing your property for sale.

Unfortunately, the Division does not perform appraisals on individual water rights. Since the value of an individual water right may be determined by many factors, it is recommended that you contact a certified real estate appraiser in your community with expertise in this area.

I have also enclosed for your review is a list of attorneys and consultants specializing in water rights matters who also may be able to assist you. If you have further questions or need additional information, please contact me at (916) 341-5383.

Sincerely,

**ORIGINAL SIGNED BY**

Mitchell Moody  
Water Resource Control Engineer  
Applications Unit

Enclosure

**Control #16337**

MSMoody:msm:jbradley:6-12-01  
u:msm:Walsh.266

**SURNAME**  
Moody  
6-12-01

CC-A  
6-12-01

"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demands and cut your energy costs, see our Web-site at <http://waterrights.ca.gov>.

LLA

West Point, CA  
June 4, 2001

Larry L. Ataway, Program Mgr.  
Application & Petition Secy.  
Division of Water Rights  
P.O. Box D2000

Sacramento, CA 95812-2000

Dear Mr. Ataway,

Recently I wrote a letter to Edward C. Estes, Chief Div. of Water Rights but received no reply. I must assume he is no longer with the Agency.

I am enclosing a copy of the letter.

Could you please direct it to someone in the Division who would be able to place a value on 20 miles inches of water over the months used to me can fairly list a value on our homestead as we list it with Realtors.

Sincerely,  
Earl E & Mandene R Welsh  
(Trustees) Welsh Family Trust  
Dated 1984

STATE WATER RESOURCES  
CONTROL BOARD

DM OF WATER RIGHTS  
SACRAMENTO

2001 JUN - 7 PM 4:38

West Point, CA  
May 11, 2001

Edward P. Eaton, Chief  
Division of Water Rights  
State Water Resources Control Bd  
P.O. Box 2000

Sacramento, CA 95812-2000

Dear Mr. Eaton,

We are located in Colusa County at West Point, CA. Our Family Trust is in the process of considering sale of our Homestead (160 acres) and the Water Right (Pre 1914) that goes with the property.

We hope you, or someone in your division, might be able to give us a fair appraisal of the value of this Water Right in todays market.

To make it more specific, we are listed as Statement 000133 in your files and I'm enclosing a copy of one of our supplemental statements of water diversion and use. The right is listed as 20 miners inches over the months listed on our statement. You may wish to convert this to G.P.M. or acre ft.

My wife and I (present Trustees) can come down to your office if you need more pertinent information.

Thank you for this consideration.

Our phone: (209) 293-7434) Sincerely,  
Earl & Sonja Welsh

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

2001 JUN - 7 PM 4:38

Please Complete and Return This Form by July 1, 2001.

Owner of Record: EARL E WALSH; NONDINE WALSH;

DIV. OF WATER RIGHTS  
SACRAMENTO

EARL E WALSH  
PO BOX 787  
WEST POINT, CA 95255

Statement No: S000133

Password: 04190110013984

Phone Number: (209) 293-7434

Year of First Use: 1854

Parcel Number:

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Source Name: BEAR CREEK

Tributary To: MIDDLE FORK MOKELOMNE RIVER

County: Calaveras

Diversion Within: NW1/4 of SW1/4 Section 12, T06N, R13E, MB&M



- A. Water is used under: Riparian claim  Pre 1914 right  Other (explain): \_\_\_\_\_
- B. Year of first use (Please provide if missing above) 1854
- C. Amount of Use – Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Year	Amounts below are: Gallons Acre-feet Other <u>20 minutes</u> <u>inches</u>												
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1998				✓	✓	✓	✓	✓	✓	✓			
1999				✓	✓	✓	✓	✓	✓	✓			
2000				✓	✓	✓	✓	✓	✓	✓			

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation Pasture (15) acres; Stockwatering 30-50 Head; Domestic 1 Household yard  
Other (specify) 2 Reservoirs (Part of Water Right) 5 acre excess  
5 acres to diversion  
pipe to make water use more efficient

- E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) Open ditch replaced with plastic pipe to make water use more efficient

- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Are you now employing water conservation efforts? YES  NO   
Describe any water conservation efforts you have initiated: Irrigating orchards and pasture at night to hold down evaporation
- b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions: (does not apply)

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

Reductions in consumptive use:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES  NO

The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Division and Use, (2) Information Pertaining to Appropriators, (3) Appropriation of Water in California.

Statement 5100 of Water Division and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system. An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream a riparian right to the severed parcel. Generally, a riparian user must share the water supply with other riparian users. The same water is the water source and must never have been served from the sources of supply by an intervening parcel without reservation of the riparian right to the natural lake or stream to take and use water on his riparian land. Riparian land must be in a different watershed to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream a riparian right to the severed parcel. Generally, a riparian user must share the water supply with other riparian users.

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

ITEM CONTINUATION

If there is insufficient space for your answers, please use the space provided below.

COMPANY NAME: TRUSTEES ALEX H FAMILY TRUST 1984  
 PRINTED NAME: EARL E. ANDREW WALKER  
 SIGNATURE: Earl E. Andrew Walker  
 DATE: June 4, 2001 at Woodland CA, California  
 (first name) (middle init.) (last name)

I declare that the information in this report is true to the best of my knowledge and belief.  
 I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I have data to support the above surface water use reductions due to conjunctive use efforts. YES  NO   
 (aff/mg) yr (aff/mg) yr (aff/mg) yr (aff/mg)

a. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

b. Are you now using groundwater in lieu of surface water? YES  NO

3. Conjunctive use of surface water and groundwater  
 I have data to support the above surface water use reductions due to wastewater reclamation. YES  NO   
 (aff/mg) yr (aff/mg) yr (aff/mg) yr (aff/mg)

b. If credit toward use under a claimed pre 1914 appropriative right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

a. Agree which unreasonably affects such water for other beneficial uses? YES  NO   
 2. Water quality and wastewater reclamation  
 b. Are you now using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to



S000133%2003

2001, 2002, 2003

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by August 1, 2004.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: EARL E WALSH; NONDINE WALSH;

2001, 2002, 2003

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

EARL E WALSH

PO BOX 787

WEST POINT, CA 95255

STATEMENT NO.: S000133  
 CONTACT PHONE NO.: (209)293-7434

Source Name: BEAR CREEK

Tributary To: MIDDLE FORK MOKELUMNE RIVER

County: Calaveras

Diversion Within: NW1/4 of SW1/4 Section 12, T06N, R13E, MB&M

Year of First Use: 1854

Parcel Number: 010-009-001-000 ✓

- A. Water is used under: Riparian claim \_\_\_\_\_ Pre 1914 right  Other (explain); \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use – Enter the amount (or the approximate amount) of water used each month.

Year	Amounts below are:												Total Annual
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2001				20 minnows taken daily,									
2002				"	"	"	"	"	"	"			
2003				"	"	"	"	"	"	"			

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 30 acres acres; Stockwatering 30 head; Domestic Family Orchard  
 Other (specify) 2 Reservoirs (Storage) 30 acre ft capacity

- E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

Storage Reservoir capacity increased

- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Are you now employing water conservation efforts? YES  NO  
 Describe any water conservation efforts you have initiated:  
 Have abandoned old open ditches and now water is delivered through plastic pipe in cooperation with Calaveras Co. Water District
- b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

50% savings

Yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

Reductions in consumptive use:

Yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES  NO \_\_\_\_\_

For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swcb.ca.gov/>. "The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption."

Water Rights in California, and (3) Appropriation of Water in California.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or appropriate.

State specific exemptions of Water Diversions and Use must be filed by riparian and pre 1914 appropriative water users, please contact 5100 from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream.

Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a riparian right to the served parcel. Generally, a riparian water user must share the water supply with other users.

The same watershed as the water source and must never have been served from the sources of supply by an intervening parcel without reservation of the riparian right to the served parcel. Generally, a riparian water user must share the water supply with other users.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream.

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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ITEM CONTINUATION

If there is insufficient space for your answers, please use the space provided below.

COMPANY NAME: WALSHE FAMILY TRUST  
 PRINTED NAME: EARL E. & LONDINE WALSHE  
 SIGNATURE: Earl E. & Linda J. Walshe  
 DATE: July 3, 2004 at San Jose, California  
 California

I declare that the information in this report is true to the best of my knowledge and belief.

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I have data to support the above surface water reductions due to conjunctive use efforts. YES  NO   
 (aff/mg) yr (aff/mg) yr (aff/mg)

b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

a. Are you now using groundwater in lieu of surface water? YES  NO  (aff/mg)

3. Conjunctive use of surface water and groundwater  
 I have data to support the above surface water reductions due to wastewater reclamation. YES  NO   
 (aff/mg) yr (aff/mg) yr (aff/mg)

b. If credit toward use under a claimed pre 1914 appropriative right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

a. Are you now using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES  NO

b. If credit toward use under a claimed pre 1914 appropriative right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

2. Water quality and wastewater reclamation  
 a. Are you now using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES  NO

b. If credit toward use under a claimed pre 1914 appropriative right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

2. Water quality and wastewater reclamation  
 a. Are you now using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES  NO

State of California  
 State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
 P.O. Box 2000, Sacramento, CA 95812-2000  
 Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

✓  
 STATE WATER RESOURCES  
 CONTROL BOARD

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
 Notify this office if ownership or address changes occur during the coming year.

2000 JUN - 7 PM 4:28

Please Complete and Return This Form by July 1, 2001.

Owner of Record: EARL E WALSH; NONDINE WALSH;

DIV. OF WATER RIGHTS  
 SACRAMENTO

EARL E WALSH  
 PO BOX 787  
 WEST POINT, CA 95255

Statement No: S000153

Password: 04190110013984

Phone Number: (209) 293-7434

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Source Name: BEAR CREEK

Year of First Use: 1854

Tributary To: MIDDLE FORK MOKELUMNE RIVER

County: Calaveras

Parcel Number:

Diversion Within: NW1/4 of SW1/4 Section 12, T06N, R13E, MB&M

- A. Water is used under: Riparian claim \_\_\_\_\_ Pre 1914 right  Other (explain): \_\_\_\_\_
- B. Year of first use (Please provide if missing above) 1854
- C. Amount of Use – Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Year	Amounts below are: Gallons Acre-feet Other <u>20 minutes</u> inches												Total Annual
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
1998				✓	✓	✓	✓	✓	✓	✓			
1999				✓	✓	✓	✓	✓	✓	✓			
2000				✓	✓	✓	✓	✓	✓	✓			

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation Pasture (15) acres; Stockwatering 30-50 Head; Domestic 1 Household yard  
 Other (specify) 2 Residential (Part of Water Right) 5 acres apples 5 acres Walnuts  
Open ditch replaced with plastic pipe to make water use more efficient

- E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

Open ditch replaced with plastic pipe to make water use more efficient

- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Are you now employing water conservation efforts? YES  NO \_\_\_\_\_  
 Describe any water conservation efforts you have initiated:  
and Pasture at night to hold down evaporation Irrigating orchards
- b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions: (does not apply)

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

Reductions in consumptive use:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES  NO WMA

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at http://www.swrcb.ca.gov."

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or Water Rights in California, and (3) Appropriation of Water in California.

State's new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriations. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information concerning water rights, please contact an attorney or

State's of Water Division and Use must be filed by January and pre 1914 appropriate water users as set forth in Water Code section 5100 from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

An appropriate right is required for use of water on nonirrigated land and for storage of water. Generally, appropriate rights have been required to obtain a permit and license only when there is a surplus not needed by irrigation water users. Since 1914, new appropriators have been required to obtain a permit and license

from the State. A different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream a different watershed, water may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in

Riparian rights may be used to divert the natural flow to the servient parcel. Generally, a riparian water user must share the water supply with other riparian users. A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in

the same watershed as the water source and must never have been served from the sources of supply by an intervening parcel without reservation of the riparian right to the servient parcel. Generally, a riparian user must share the water supply with other riparian users.

There are two principal types of surface water rights in California. They are riparian and appropriate rights.

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

ITEM CONTINUATION

If there is insufficient space for your answers, please use the space provided below.

COMPANY NAME: TRUSTEES OF ALEXANDER FAMILY TRUST DATED 1984  
 PRINTED NAME: KAREN E. AND WALTER WHALEY  
 SIGNATURE: E. Karen E. and Walter Whaley  
 DATE: January 14, 2001 at Walter Whaley, California

I declare that the information in this report is true to the best of my knowledge and belief  
 I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.  
 I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is

I have data to support the above surface water use reductions due to conjunctive use efforts. YES NO (a/mg)

claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

b. If credit toward use under a claimed pre 1914 appropriate right through substitution of groundwater in lieu of appropriated water is

a. Are you now using groundwater in lieu of surface water? YES NO X

Conjunctive use of surface water and groundwater

I have data to support the above surface water use reductions due to wastewater reclamation. YES NO X (a/mg)

and amounts of reclaimed water used:

b. If credit toward use under a claimed pre 1914 appropriate right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions

a. degree which necessarily affects such water for other beneficial uses? YES NO X

Water quality and wastewater reclamation

a. degree which necessarily affects such water for other beneficial uses? YES NO X

b. If credit toward use under a claimed pre 1914 appropriate right through substitution of reclaimed water, desalinated water or

Edward P. Eaton, Chief  
Division of Water Rights  
State Water Resources Control Bd  
P.O. Box 2000  
Sacramento, CA 95812-2000

West Point, CA  
May 11, 2001  
KSN ~~50~~  
5000133

Dear Mr. Eaton,

We are located in Calaveras County at West Point, CA. Our Family Trust is in the process of considering sale of our Homestead (160 acres) and the Water right (Pre 1914) that goes with the property.

We hope you, or someone in your division, might be able to give us a fair appraisal of the value of this Water right in todays market.

To make it more specific, we are listed as Statement 000133 in your files and I'm enclosing a copy of one of our supplemental statements of water diversion and use. The right is listed as 20 meers inches over the months listed on our statement. You may wish to convert this to G.P.M. or acre ft.

My wife and I (present Trustees) can come down to your office if you need more pertinent information.

Thank you for this consideration.

Sincerely,  
Our phone: (209) 293-7434 Earl & Rosaline Welsh

## STATE WATER RESOURCES CONTROL BOARD

## DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

(916) 657-1875

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

EARL E & NONDINE WALSH  
P O BOX 787  
WEST POINT, CA 95255

STATEMENT NO: 000133

STATE WATER RESOURCES  
CONTROL BOARD

2001 MAY 16 PH 2:14

DIV OF WATER  
SACRAMENTOTELEPHONE NUMBER:  
(408) 293-7434

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CURRENT.

SOURCE: BEAR CREEK

TRIBUTARY TO: MIDDLE FORK MOKELOMNE RIVER

COUNTY: CALAVERAS

YEAR OF FIRST USE: 1854

DIVERSION

WITHIN: NW1/4 OF SW1/4 SECTION 12, T06N, R13E, MDB&amp;M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

- A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right ; Other (explain) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) 1854
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:  Gallons  Acre-feet  (other)20 Miners Inches

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL	ANNUAL
1991					✓	✓	✓	✓						
1992					✓	✓	✓	✓	✓					
1993					✓	✓	✓	✓	✓	✓				

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
 Irrigation Pasture 15 acres; Stockwatering 30-50 head; Domestic 1 household  
 Other (specify) 2 Reservoirs Park of Water Rights 5 acres apples and walnuts (yard)

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

Replaced most of open ditch with plastic pipe, in an effort to make water use more efficient

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.  
 DATED: March 15, 1991, at West Point, California

Signature: Earl E. Walsh

Nondine R. Walsh

Trustee Nona L. Hamby  
1993 March 1994 June 1994

## **CONTACT REPORT**

### **DIVISION OF WATERS**

STATE WATER RESOURCES CONTROL BOARD

**Subject: Appraisal of Water Right For A Property  
Statement of Water Diversion and Use.  
Statement Number: S000133**

**Division: Personnel: Koso Nodohara      Date: June 8, 2001 Time: 1140a**

**Personal:  Where: West Point, CA**

**Telephone:  Number: (209) 893-7434**

**Individuals(s)/Agency Contacted: Mr. Earl E Walsh**

#### **Coversation Description:**

As described in the Mr. Walsh's letter, he wishes if someone from this office can assist him setting a value of a water right which he is intending to sell his property in the future. He claims that the water has been in existence prior to 1914.

I told him this office can not issue any value on water rights. This agency has no jurisdiction these matters and will stay nuetral on any water right issues.

I told him that he should contact himself with a local Real Estate who may have knowledge or an attorney who may deal on water right matters.

I will send a list of water right attornies from our website. From the list, he may find someone to his liking. The list will be sent shortly.

I told him no letter will follow and he thank me kindly for this call and he asked me to whom he was speaking, also asked who is now the Division Chief and I replied Mr. Harry Schueller.

**End of conversation.**

**No other reply necessay.**

**Surname: Koso Nodohara      Date June 8, 2001**



STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS  
P.O. BOX 2000, SACRAMENTO, CA 95812-2000  
(916) 657-2170

file

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1998

DIV. OF WATER RIGHTS  
SACRAMENTO  
STATE WATER RESOURCES  
CONTROL BOARD

APR 15 MII: 15  
98

OWNER OF RECORD: EARL E WALSH, NONDINE WALSH

EARL E WALSH  
PO BOX 787  
WEST POINT, CA 95255

STATEMENT NO: S000133



S 0 0 0 1 3 3

SOURCE: BEAR CREEK  
TRIBUTARY TO: MIDDLE FORK MOKELEMNE RIVER  
COUNTY: CALAVERAS  
DIVERSION  
WITHIN: NW% OF SW% SECTION 12, T6N, R13E, MB&M.

TELEPHONE NUMBER:

(209) 293-7434

YEAR OF FIRST USE: 1854

PARCEL NO:

A. Water is used under: Riparian claim  ; Pre 1914 right  ; Other (explain): \_\_\_\_\_

B. Year of first use (Please provide if missing above) 1854.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:  Gallons  Acre-feet  (other)

20 Miners Inches

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total	Annual
1995				✓	✓	✓	✓	✓	✓	✓				
1996				✓	✓	✓	✓	✓	✓	✓				
1997				✓	✓	✓	✓	✓	✓	✓				

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 15-20 acres; Stockwatering 30 HEAD; Domestic 2 Acres

Other (specify) Water used for 5 acres apples, 5 acres walnuts, 20 acres irrigated pasture

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 15, 1998 at West Point, CA 95255, California

SIGNATURE: Earl E. Walsh Nondine R. Walsh

PRINTED NAME: EARL

(FIRST NAME)

(MIDDLE INIT.)

(LAST NAME)

NONDINE

R.

WALSH

COMPANY NAME: Walsh Family Trust, Nondine Walsh, Earl Walsh

Trustees

See back of page for General Information. If there is insufficient space for your answers,  
please number them in the space provided on the back of this form.

**GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA**

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land without reservation of the riparian right to the severance and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severance and must never have been severed from the sources of supply by an intervening parcel. Riparian rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriations have been required to obtain a permit and license from the State.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriations have been required to obtain a permit and license from the State.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- (1) provides a record of water diversion and use must be filed by a riparian and pre-1914 appropriative water users. The filing of a statement from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.
- (2) enables the State to notify such users if someone proposes a new appropriation upstream.
- (3) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statement of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S000133  
OWNER OF RECORD: EARL E WALSH

EARL E WALSH  
PO BOX 787  
WEST POINT, CA 95255

STATE WATER RESOURCES  
CONTROL BOARD  
DIV. OF WATER RIGHTS  
SACRAMENTO

1995 MAR 24 AM 7:01

SOURCE: BEAR CREEK  
TRIBUTARY TO: MIDDLE FORK MOKELOMNE RIVER  
COUNTY: CALAVERAS  
DIVERSION  
WITHIN: NW $\frac{1}{4}$  OF SW $\frac{1}{4}$  SECTION 12, T6N, R13E, MDB&M.

TELEPHONE NUMBER:  
(209) 293-7434  
YEAR OF FIRST USE: 1854  
PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.

- A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right ; Other (explain) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) 1854
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:  Gallons  Acre-feet  (other) 20 miners inches

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC	TOTAL ANNUAL
1992				✓	✓	✓	✓	✓					
1993				✓	✓	✓	✓	✓	✓				
1994				✓	✓	✓	✓						

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation Pasture 15 acres; Stockwatering 30-50 Head; Domestic 1 Household yard  
Other (specify) 2 Reservoirs (Part of Water Right)  
5 acres apples + Walnuts

\*\*\* CONTINUE ON BACK PAGE \*\*\*

"Appropriation of Water in California"  
"Water Rights for Stockponds Constructed Prior to 1969"  
"Information Pertaining to Water Rights in California"

"Statements of Water Diversion and Use"

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:  
"The filling of a stream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

Statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for statement (1).

An appropriate right is required for use of water by riparian land and for storage of water. Generally, appropriate rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

A riparian user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.  
I, Mark A. Walsh, do hereby declare this 19th day of June, 1994 at Walsh Construction Co., Inc. in California.  
DATE: Mark A. 1994 at Walsh Construction Co., Inc.  
SIGNATURE: Mark A. Walsh  
PRINTED NAME: MARK A. WALSH  
COMPANY NAME: WALSH TRUSI  
(LAST NAME)  
(FIRST NAME)  
(M. NAME)

E. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

E. Changes in Method of Diversions - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 000133

EARL E & NONDINE WALSH  
P O BOX 787  
WEST POINT, CA 95255

TELEPHONE NUMBER:  
(209) 293-7434

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: BEAR CREEK

TRIBUTARY TO: MIDDLE FORK MOKELOMNE RIVER

COUNTY: CALAVERAS

YEAR OF FIRST USE: 1854

DIVERSION

WITHIN: NW1/4 OF SW1/4 SECTION 12, T06N, R13E, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right ; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) 1854.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:  Gallons  Acre-feet  (other)

20 Miners Inches

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991				✓	✓	✓	✓						
1992				✓	✓	✓	✓	✓					
1993			✓	✓	✓	✓	✓	✓					

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation Pasture 15 acres; Stockwatering 30-50 head; Domestic 1 Household (yard)  
Other (specify) 2 Reservoirs (Part of Water Right) 5 acres applied and Walnuts

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

Replaced most of open ditch with Plastic pipe, in an effort to make water use more efficient

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: March 15, 1994, at West Point, California

Signature:

Earl E. Walsh  
Nondine R. Walsh

# General Information to Water Rights in California

F.S. would you please send me

- "Appropriation of Water in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Information Pertaining to Water Rights in California"
- "Statements of Water Diversion and Use"

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

Statement of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source which originates in a different watershed, or return flows from use of groundwater.

The natural flow of a stream but may not be used to store water for later use or to divert water must share the water supply with other riparian users. Riparian rights may be used to divert out reservation of the riparian right to the severed parcel. Generally, a riparian user and must never have been severed from the sources of supply by an intervening parcel with-

There are two principal types of surface water rights in California. They are riparian and appropriate rights.

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
901 P ST SACRAMENTO, CA 95814  
(916) 322-4503  
(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE  
1991 FEB - 6 AM 9:08

DIVERTER OF RECORD:

DIV. OF WATER RIGHTS  
SACRAMENTO

STATEMENT NO: 000133

EARL E & NONDINE WALSH  
~~STAR ROUTE 2000 ROAD~~  
WEST POINT, CA 95255

P.O. Box 787

TELEPHONE NUMBER:  
(209) 293-7434

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: BEAR CREEK

TRIBUTARY TO: MIDDLE FORK MOKELOMNE RIVER

COUNTY: CALAVERAS

DIVERSION

WITHIN: NW1/4 OF SW1/4 SECTION 12, T06N, R13E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts  Gallons  
below are:  Acre-feet  
 20 meters (other)  
1000 cu ft

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total	Annual
1988				✓	✓	✓	✓	✓	✓	✓				
1989				✓	✓	✓	✓	✓	✓					
1990				✓	✓	✓								

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 15 acres pasture 3 acres apples & walnuts  
Stockwatering 25-35 head of cattle & calves  
Domestic for 1 household (yard use)  
Other (specify) 2 reservoirs

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

The diversion remains the same, but due to drought my season of use has been shortened as the drought becomes more severe.

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED:

Jan 28, 1991 at West Point, California, California

Signature: Earl E. Walsh

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriate rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statement of Water Division and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water upstream from their diversion, and (3) assists the State to determine if additional use, (2) enables the State to notify such users if someone proposes a new appropriation of water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Appropriation of Water in California",  
"Water Rights for Stockponds Constructed Prior to 1969",  
"Information Pertaining to Water Rights in California",  
"Statements of Water Division and Use".

"Appropriation of Water in California",  
"Water Rights for Stockponds Constructed Prior to 1969",  
"Information Pertaining to Water Rights in California",  
"Statements of Water Division and Use".

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RIGHTS BOARD

S 133

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

- A. Name of person diverting water EARL E. WALSH and MONDINE R. WALSH  
Address San Andreas, California 95249
- B. Name of body of water at point of diversion Bear Creek  
Tributary to Mokelumne River
- C. Place of diversion SW 1/4 Section 1, Township 6 N., Range 13 E., M. D. B. & M., Calaveras  
County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.
- D. Name of works Nestor Ditch

E. Capacity of diversion works	<u>20 minors inches</u>	cubic foot per second
Capacity of storage reservoir	<u>20 acre ft.</u>	gallons per minute
State quantity of water used each month in gallons or acre-feet		gallons
		acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total	Annual
:	:	:	:	X	X	X	X	X	X	X	X	X	:	:

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years		gallons
Minimum annual water use in recent years		acre-feet
Type of diversion facility: gravity <u>X</u> , pump		gallons
Method of measurement: weir		acre-feet

F. Purpose of use (what water is being used for) Irrigation of pasture lands and 5 acres of apple orchard, and watering of livestock

G. General description or location of place of use (use sketch of section grid on reverse side if you desire).  
E1/4 of NE1/4 of Sec. 11, the SW1/4 of NW1/4, and the NW1/4 of SW1/4 of Sec. 12, all in T. 6 N., R. 13 E., M. D. B. & M.

H. Year of first use as nearly as known 1859

I. Name of person filing statement Earl E. Walsh  
Position  Organization   
Address San Andreas, California 95249

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed January 5, 1967

Signature Earl E. Walsh

Mondine R. Walsh

See Instructions on Reverse Side

SWRB 40 (e-6)

S-116-03-00-0

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K